

REMARKS

By entry of the is amendment, claims 1-6, 8-26and 28 are pending in this application. Claims 1, 9, 12, 15, 18 and 20 have been amended, and claim 27 has been canceled. Support for the new claim amendments can be found at ¶¶ 23, 24, 27 and 28 of Applicant's Published Patent Application. Claims 1-6 and 8-27 have been rejected. In view of foregoing amendments and following remarks, the Applicant requests allowance of the application.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 1-6 and 8-27 stand rejected as allegedly being obvious over Bosch et al. (U.S. Patent Publication No. 2003/0225692) in view of Rosenwald (U.S. Patent No. 6,038,550) in view of Lipshutz (U.S. Patent Publication No. 2003/0120566) in further view of Schultz (U.S. Patent Publication No. 2001/0056391). Applicant respectfully disagrees. Claim 27 has been canceled, therefore, the rejection of claim 27 is moot.

Claims 1-6, 8 and 15-19

Claim 1 recites, in part:

(b) determining the balances for the account for the balance determination times, ***the determining including only transactions occurring prior to a specific balance determination time within the span of a single day;***
(c) determining applicable conditions for the interest calculation, the conditions relating to an interest rate to be applied based on ***an interest day type code assigned to the single day***, the interest day type code associated with respective different interest rates at which respective net account balances are to be used in the interest calculation for the account, wherein ***a different interest rate is applied in the interest calculation for at least one of the balance determination times within the single day***

Independent claims 15, directed to a system, and 18, directed to a machine readable medium, recite similar features as independent claim 1. None of the applied prior art discloses or suggests the above highlighted features. The Office asserts that Bosch discloses determining balances for accounts at the balance determination times in ¶ 75. However, Bosch's ¶ 75 merely states:

[0075] A calculator tool can be included which is configured to calculate "what if" scenarios, such as how much and how frequently the customer 13 needs to deposit funds to reach a specific balance under the calculated interest rate. In addition, the calculator tool can determine the amount of interest earned for various periods, such as daily, weekly, monthly, quarterly or the entire term.

Bosch's ¶ 75 does not disclose the claimed determining including only transactions occurring prior to a specific balance determination time within the span of a single day as recited in the claim. The Office admits that Bosch does not disclose claimed step c) at page 2 of the Office Action. The Office relies on Rosenwald to disclose the features previously recited in claim 1.

However, claim 1 now recites an interest day type code assigned to the single day and a different interest rate is applied in the interest calculation for at least one of the balance determination times within the single day. Rosenwald does not disclose such a feature. The Office further relies on Lipshutz to disclose an account balance is a debit balance and is overdrafted, and Shultz to disclose an option expiration day because Bosch admittedly does not disclose these features recited in claim 1. However, Shultz also does not disclose or suggest the claimed assigned interest day type code or wherein a different interest rate is applied in the interest calculation for at least one of the balance determination times within the single day.

Bosch, Rosenwald, Lipshutz and Shultz, individually or in combination, do not disclose or suggest all of the features recited in independent claims 1, 15 and 18. Independent claims 1, 15 and 18 are allowable. Dependent claims 2-6, 8, 16, 17, 19, 21, 24 and 25 depend respectively from claims 1, 15 and 18, and are also allowable.

Claims 9-14, 20, 22, 23 and 26

Claims 9, 12 and 20 are independent claims. Claim 9 is directed to a method, claim 12 is directed to a system, and claim 20 is directed to a machine-readable medium, and all recite similar features.

Representative claim 9 recites, in part:

(b) receiving transaction information for the account, ***the transaction information including a value time specifying when a transaction is to be taken into account for interest calculation;***

(e) for each of the points in time, determining an applicable interest rate based on ***an interest day type code*** associated with ***respective different interest rates*** assigned to the single day at which respective net account balances are to be used in the interest calculation for the account, wherein ***a different interest rate is applied in the interest calculation for at least one of the balance determination times within the single day***

In making the rejections independent claims 9, 12 and 20, the Office cites ¶¶ 11 and 75 as disclosing substantially all of the features of the independent claims. However, ¶ 11 of Bosch merely describes:

a system for opening an interest bearing account for a customer. The account opening system includes a customer information system configured to prompt and record entry of customer information. In particular, the account information system is configured to prompt and record a rate lock code, a term, a deposit amount and an account type selection. A rate decision system uses the received date, rate lock code, term and deposit amount, along with the account type selection, as criteria to determine the interest rate for the interest bearing account. The account opening system further includes an account activation system capable of receiving the deposit amount submitted by the customer, activating the interest bearing account and crediting the deposit amount at the interest rate.

This does not describe transaction information including a value time specifying when a transaction is to be taken into account for interest calculation as recited in the independent claims. Accordingly, Bosch does not disclose the above claimed element b) of the independent claims.

The Office relies on Rosenwald's ¶ 75 to disclose the above claimed element e) of the independent claims under the same rationale as applied to independent claims 1, 15 and 18. As explained above with respect to independent claims 1, 15 and 18, Rosenwald's ¶ 75 does not disclose the features recited in element e).

Lipshultz is again cited for its alleged disclosure of an account balance that is a debit balance and is overdrafted. Similarly, Shultz cited for its alleged disclosure of an option expiration day. However, neither overcomes the above deficiency of Bosch nor discloses the claimed interest day type code or wherein a different interest rate is applied in the interest calculation for at least one of the balance determination times within the single day as recited in the independent claims. Claims 9, 12 and 20 are allowable. Claims 10, 11, 13, 14, 22, 23 and 26 depend respectively from claims 9, 12 and 20, and are also allowable.

New Claim 28 is Allowable

New claim 28 depends from claim 15, and presents an additional level of detail that is neither disclosed or suggested by the applied prior art. For example, claim 28 recites, in part:

a graphical user interface having ***user-modifiable data fields providing a mapping of different interest rates to various interest day type codes***, wherein the mapping of the different interest rates to each of the various interest day type codes is dependent upon conditions entered in the data fields related to the each of the different interest rates, and the conditions are modified according to user input.

The applied prior art does not disclose the combination of features recited in Applicant's claim 28. Claim 28 is allowable.

CONCLUSION

All outstanding rejections have been overcome. It is respectfully submitted that, in view of the foregoing amendments and remarks, the application is in clear condition for allowance. Issuance of a Notice of Allowance is earnestly solicited.

Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600.

The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

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